

Chen. The Applicant respectfully traverses the rejection because the Official Action has not made a *prima facie* case of obviousness.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach, either explicitly or inherently, or suggest all the features of the independent claims. Independent claims 1 and 2 recite an island-like semiconductor layer covering a projection and extending over a pair of edges of the projection. For the reasons provided below, Chen does not teach, either explicitly or inherently, or suggest the above-referenced features of the present invention.

The Official Action asserts that "Chen discloses in fig. 6 ... a base film 3 having a projection (mid portion of region 3), ... an island-like semiconductor layer 33 ... covering the projection and extending over a pair of edges of the projection" (pages 2-3, Paper No. 20060819). The Applicant disagrees and traverses the assertions in the Official Action.

The Official Action has not shown with any specificity what portions of Chen allegedly correspond with a projection and a pair of edges of the projection. In any event, the Applicant respectfully submits that Figure 6 of Chen does not teach or suggest that the a-Si layer 33 of Chen covers a projection of first insulating layer 3 and extends over a pair of edges of the projection of first insulating layer 3. At best, Chen appears to disclose that the a-Si layer 33 covers one portion of each alleged "projection" and extends over one edge (but not both edges) of each of the alleged "projections" (Figure 6 is reproduced and annotated below).

Interpretation 1

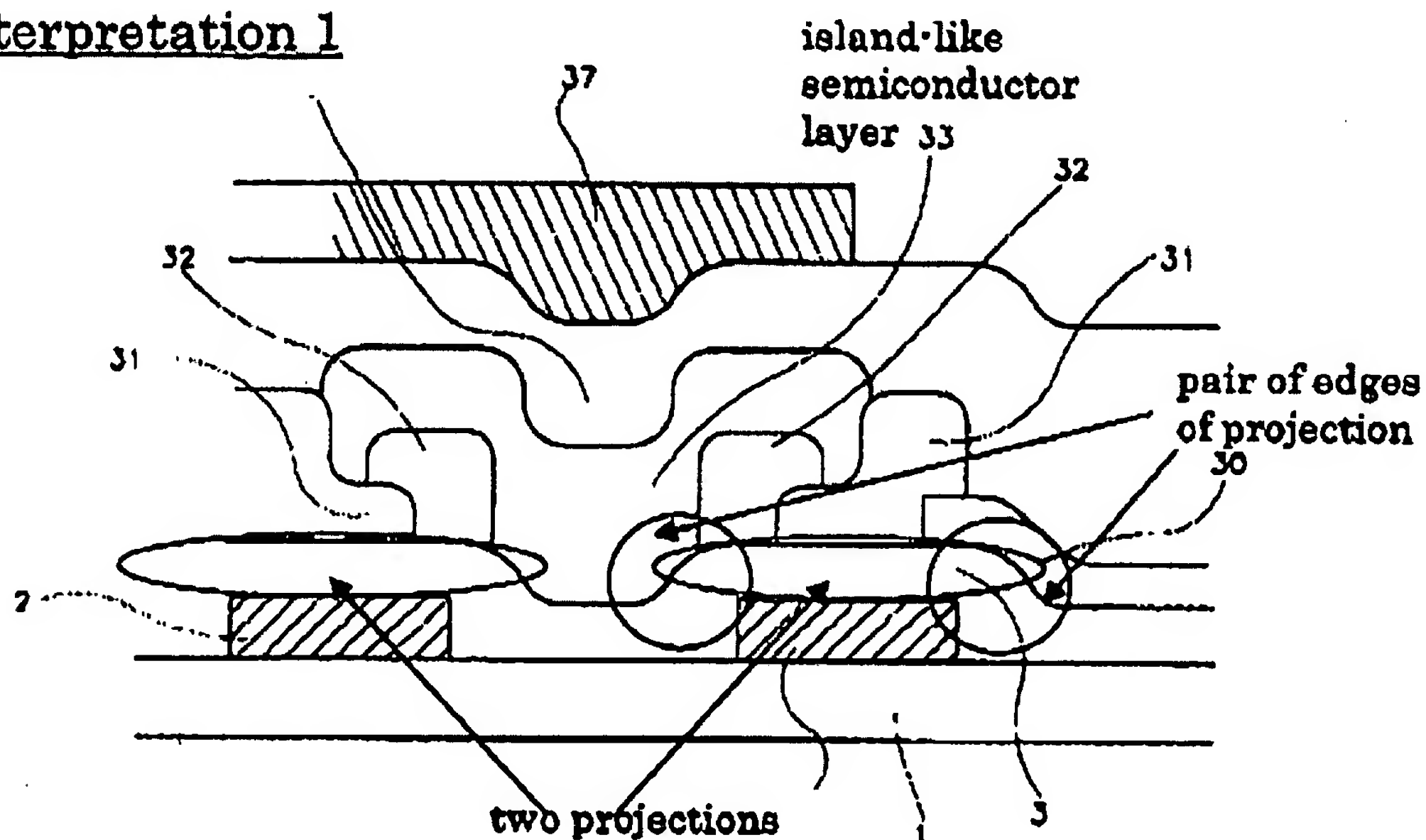


FIG. 6

As noted above, only one of the edges of each of the alleged “projections” is underneath a-Si layer 33. As such, Chen does not appear to teach or suggest that the a-Si layer 33 of Chen covers a projection of first insulating layer 3 and extends over a pair of edges of the projection of first insulating layer 3.

Also, as noted above, the Official Action makes reference to a “mid portion of region 3” (page 2, Paper No. 20060819). In the version of Figure 6 attached and annotated below, the Applicant has circled what might, arguably, correspond with a “mid portion of region 3.”

Interpretation 2

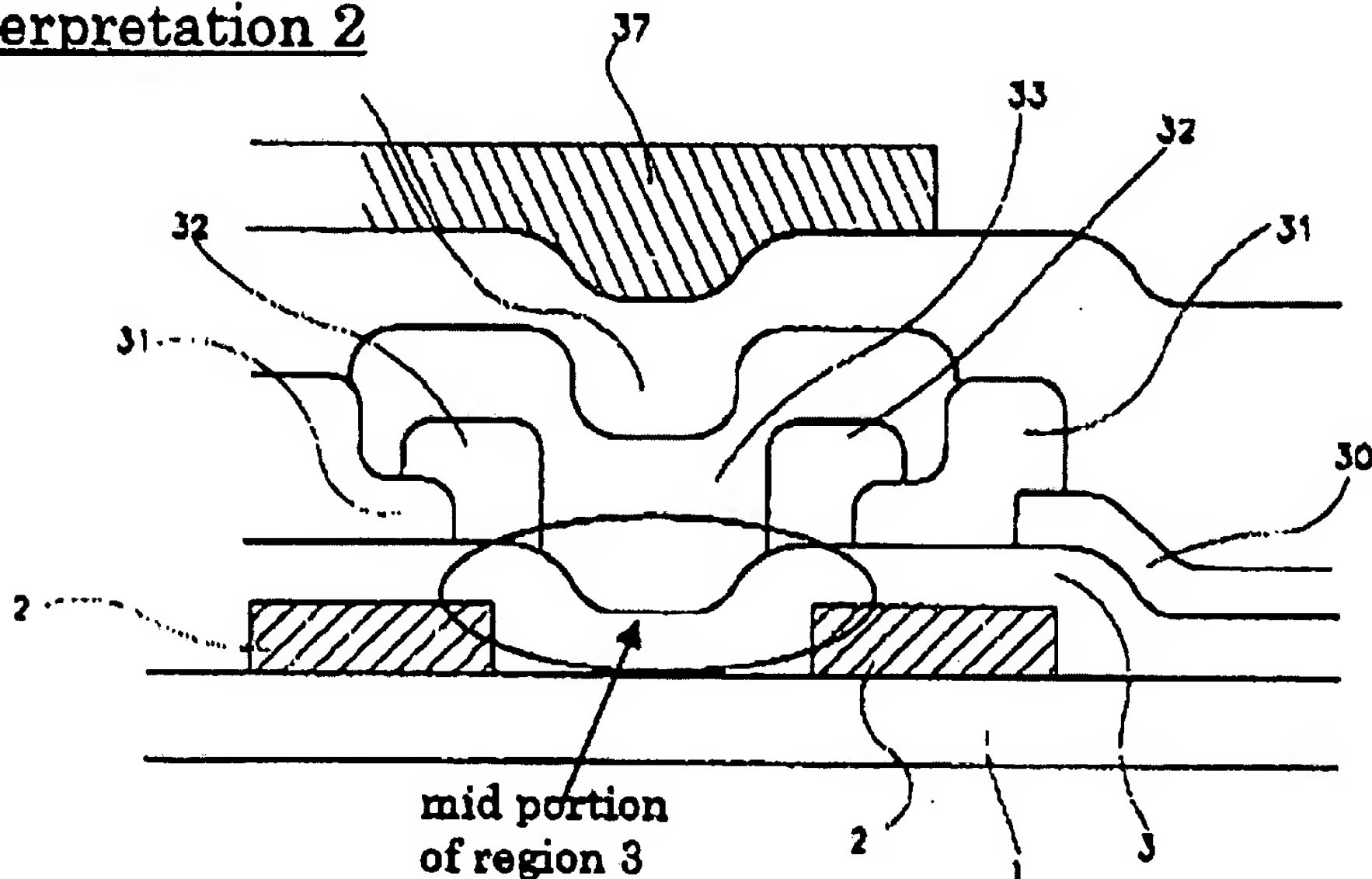


FIG. 6


However, the circled portion of region 3 does not have a projection, where both edges of the projection are covered by a-Si layer 33. At best, the circled portion of region 3 has a right portion of a first projection and a left portion of a second projection (or one depression), but the a-Si layer 33 does not extend over a pair of edges of at least one of the two projections. In other words, the edges of the alleged “projections” remain as shown in the first interpretation of Figure 6, noted above. Therefore, Chen

does not teach, either explicitly or inherently, or suggest an island-like semiconductor layer covering a projection and extending over a pair of edges of the projection.

Since Chen does not teach, either explicitly or inherently, or suggest the above-referenced features of the present invention, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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